

ARKANSAS COURT OF APPEALS
NOT DESIGNATED FOR PUBLICATION
JOHN MAUZY PITTMAN, CHIEF JUDGE

DIVISION IV

CACR06-1226

June 27, 2007

MELVIN A. NITER

APPELLANT

APPEAL FROM THE CRITTENDEN
COUNTY CIRCUIT COURT
[NO. CR-05-496]

V.

HON. CHARLES DAVID BURNETT,
JUDGE

STATE OF ARKANSAS

APPELLEE

AFFIRMED; MOTION TO
WITHDRAW GRANTED

Melvin A. Niter pled guilty in 2005 to a charge of delivery of a controlled substance. He was placed on supervised probation, subject to various conditions of good behavior, for a period of three years. Less than six months later, the State filed a petition to revoke the probation. After a hearing, the trial court found that appellant had violated several of the conditions of his probation, revoked the probation, and sentenced him to ten years in the Arkansas Department of Correction.

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), and Ark. Sup. Ct. R. 4-3(j), appellant's counsel has filed a motion to withdraw on grounds that the appeal is wholly without merit. The motion is accompanied by an abstract and addendum of the proceedings below, including all objections and motions decided adversely to appellant, and a brief in which counsel explains why there is nothing in the record that would support an appeal. The clerk of this court provided appellant with a copy of his counsel's brief and notified him

of his right to file a pro se statement of points for reversal within thirty days. Appellant did not file a statement.

From our review of the record and the brief presented to us, we find compliance with Rule 4-3(j) and that the appeal is wholly without merit. Accordingly, counsel's motion to withdraw is granted, and the order of revocation is affirmed.

ROBBINS and HEFFLEY, JJ., agree.